

# ARIZONA REGISTRAR OF CONTRACTORS

QUARTERLY NEWSLETTER - JULY 2007



## ROC 2012

Licensed Contractors Building Confidence

Fidelis V. Garcia  
Director of the Registrar of Contractors



For decades, Registrar of Contractors (ROC) directors, associations and bumper stickers have touted the benefits of using licensed contractors. From skylights to skyscrapers, the Arizona's Registrar of Contractors Office regulates Arizona's construction industry and promotes quality construction, a statewide licensing and regulatory system. As the fastest growing state in the nation, Arizona is at a critical juncture in defining our communities as record growth and building occurs on farmlands and football fields. As the newest director overseeing this historic era, the ROC is re-defining itself and its delivery of services. Major changes in the way the ROC does business will occur over the next few years, and are defined in detail in the agency's newly unveiled strategic plan (available at [www.azroc.gov](http://www.azroc.gov)) titled "ROC 2012."

Essential to this change, is the replacement of the agency's 24 year-old COBOL database computer system. Once a cutting edge system, this obsolete database system can no longer handle the needs of a 21st century agency. The funding for a new computer system was recently approved during the state budget process. Our goal is to shorten streamline license applications, and improve business efficiencies in all offices statewide. By embracing technology, the ROC will bridge the gap between rural and urban environments by offering "at your fingertip" services from the convenience of a personal computer throughout all regions of Arizona.

Technology will also allow the ROC to prepare for natural disasters, like floods or forest fires, by creating a secure environment which can continue to operate following major catastrophies. Otherwise known as Business Continuity Planning (BCP), the ROC will be ready, willing and able to assist when the re-building of communities affected by disaster begins.

Finally, technology will allow the ROC to develop and maintain a workforce that will become a model for both private and public sector employers. The ROC will aggressively pursue employees who possess the necessary skills to streamline business functions while keeping operating costs to a minimum. Through training, education, and innovation, ROC employees will be better equipped to handle the demands of a 21st century construction industry.

In closing, as a lifelong Arizona resident with roots dating back to 1918, I am honored that Governor Janet Napolitano has given me the opportunity to lead the Registrar of Contractors Office during this historic period in Arizona. A task made easy due to her vision for Arizona.

*Fidelis was raised in the small Town of Guadalupe and has family roots in Williams, Arizona. Fidelis is a former municipal court judge and is a licensed lawyer in Arizona.*



*On February 9, 2007, Arizona Governor Janet Napolitano named, and the Senate confirmed, Fidelis V. Garcia as the permanent Director of the Registrar of Contractors. Mr. Garcia had been acting as the agencies Interim Director since February 9, 2006.*

*Biographical information on the director is located on the ROC website located at [www.azroc.gov](http://www.azroc.gov)*

## LEGISLATIVE UPDATE

Brian Livingston  
Director of Communications/Legislative and Intergovernmental Affairs



As I write this article, the 48th session of the Arizona legislature has concluded. The legislature has passed and the Governor has signed, so far, 267 bills into law. I hope this article enlightens you on some of the more interesting proposals, as they relate to contractors and the contracting industry, that have made it through the legislative and executive review process. These bills are set to become law ninety days following the last day of the session.

### **HB 2065 – Public Buildings; Construction Services; Penalties**

Any government entity that violates existing statutes as they relate to bids and contracts for designing and constructing public works projects will be subjected to increased fines. These fines will escalate in severity for each subsequent violation.

### **HB 2200 – Contractors; Construction Contracts**

Contractors are prohibited from recklessly or knowingly hiring a licensed or unlicensed person to perform unlawful or unlicensed acts. The minimum elements of a contract apply to all contracts above \$1000 with no cap restriction. Information on a property owner's right to file a complaint with the Registrar of Contractors must be included on all contracts above \$1000. The two-year Registrar of Contractors jurisdictional period for new residential home construction will now be initiated at the close of escrow or actual occupancy of a new home, whichever comes first.

### **HB 2252 – State Plumbing Code; Municipalities**

All statutory references to the state plumbing code are eliminated. The State Plumbing Commission is disbanded. Municipalities may now adopt a plumbing code of their choice.

### **SB 1592 – Contractors; Unlicensed**

Any person convicted of acting as a licensed contractor while being an unlicensed person, aiding and abetting an unlicensed contractor or doing a fraudulent act as a contractor that results in a person being injured is not eligible for probation until all sales taxes collected by that person are paid in full to all governmental agencies.

As you can see these bills will have a significant impact on the construction industry and a negative impact on those individuals that fail to abide by the statutory requirements of licensing. I wish to thank you for your support of this agency, the construction industry and Arizona consumers during this legislative session.



## LEGAL

by Jessica Fortinos

### **The Spring Months Provide No Slow Down for Legal Department**

During the months of March, April and May of 2007, the Legal Department remained as busy as ever, issuing a record number of Citations, despite high turnover in the Legal Secretary Positions and an ever growing increase in the Department workload. During March of 2007, the Legal Department issued 355 Citations, with an average Citation processing time of 71 days. During April of 2007, the Legal Department issued 398 Citations with an average processing time of 69 days. And during the month of May of 2007, the Legal Department issued 428 Citations, with an average processing time of 64 days. In addition, the Legal Department issued 14 "Own-Motion" Citations during the month of March of 2007, and 10 and 13 "Own-Motion" Citations, respectively, during the months of April and May of 2007. "Own Motion" Citations arise out of matters in which the Registrar takes on the role of the Complainant and issues a Citation against a licensed contractor for an alleged violation of A.R.S. § 32-1154(A)(21).

As of June 22, 2007, the Registrar's Legal Department oversees 3066 "Open" Cases. An "Open" Case is a matter that is pending in the Legal Department and is either in a pre-hearing or post-hearing phase and in which a final determination has yet to be rendered. The "Open" Cases for the various geographical areas in which the Registrar has either a regional or field office are as follows:

Phoenix.....697	Tucson.....391	Kingman.....138	Flagstaff.....83
Mesa.....541	Lake Havasu City.....184	Yuma.....94	Show Low.....85
Glendale.....476	Prescott.....144	Sierra Vista.....91	

The remaining "Open" Cases are derived from the following categories:

License Denials.....5	Investigations.....14	Recovery Fund.....36	"Own Motion".....80
-----------------------	-----------------------	----------------------	---------------------

The biggest challenge facing the Legal Department currently is to ensure that the Legal Department continues to provide quality customer service, with the same number of Department Staff, while managing an ever-increasing workload.







## THE ROC MOVES TO THE FUTURE TO BETTER SERVE THE PUBLIC

Gene Martel  
Assistant Director of Technology

The Arizona Registrar of Contractors (ROC) recently began the business and functional **Requirements Analysis** for the replacement of its outdated Information Technology (IT) environment. The current COBOL system designed in 1984 has undergone various enhancements over the years; however the limitations in the underlying architecture make further enhancements either impractical, or in many cases impossible. Such an environment greatly hinders the ROC's ability to meet the growing needs of the agency and its stakeholders.

The commencement of this Requirements Analysis began with the documenting of existing process flows within the various divisions. This effort affords the opportunity to properly evaluate each and every process in order to determine if the process is necessary or if it can be improved. The outcome of this exercise was a well documented workflow (or flowchart) describing how the agency can most effectively provide services to its stakeholders.

This workflow document will serve as the building block for the design of the Information Technology Infrastructure. The workflow will result in a comprehensive list of business and functional requirements that will ultimately produce the technical requirements for the IT system.

Additionally, with the ever increasing utilization of the Internet and the ability for the public to find more and more government services online, the ROC will seek inputs from various focus and advisory groups on ways in which it can provide better online services through the use of technology. This Requirements Analysis represents a significant step in our pursuit of a technology solution that will result in efficient delivery of business services to the public we serve – which is an important component of the agency's recently released **Strategic Plan**.

The agency expects to complete this Requirements Analysis sometime in early August with a release of a Request for Information (RFI) for the technology solution.

For additional Information please contact Gene Martel, Assistant Director of Technology.  
gene.martel@azroc.gov



### CONCRETE WORKMANSHIP STANDARDS CHANGES PROPOSED

The Registrar of Contractors has initiated the process of changing the workmanship standards for concrete. These changes, as proposed by concrete industry representatives, will further specify under what terms and conditions a concrete contractor can be held responsible for repairs to concrete foundations, walks, drives, slabs or patios.

For further details on the proposed changes, please contact the ROC at 602-542-1525 or send a request via the web at [www.azroc.gov](http://www.azroc.gov).

### THE RECOVERY FUND TAKES ON A NEW FACE AND SETS A NEW PACE

This fiscal year (FY07) the Recovery Fund Department took a fresh look at its operations, workflow and work environment. The last fiscal year (FY06) was a year of high employee turnover and increased workloads. This fiscal year the Recovery Fund Department focused on employee development and retention, renovated its offices introducing an open floor plan and a collaborative productive work environment.

The department focused its human and technological resources on increasing the number of claims paid and reducing the length of time it took to pay those claims. The number of claims paid last fiscal year was 347. The Recovery Fund expects to increase the number of claims paid to 557 this fiscal year.

The Recovery Fund also expects to award more than \$5 million dollars to injured homeowners. This is an increase of approximately \$2 million in paid claims over last year.

## Building Block of the Community Awards 2008 to Celebrate 2007 BBC Winners

by Frankie Jo Rios, Executive Assistant

The Registrar of Contractors (ROC) and the Industry Advisory Council (IAC) Building Block of the Community Awards will celebrate its 4th annual awards banquet in August 2008. A location for this exciting event has not yet been selected. The awards banquet recognizes contractors of all types with categories for general contractors, subcontractors, and contractor associations that have raised money or donated their skills, expertise and resources to complete community service projects. To that end, if any IAC member is interested in volunteering their time or expertise in planning events, please contact Frankie Jo Rios at 602.542.1525 ext. 7115.

## WINNERS OF THE 2006 3RD ANNUAL BUILDING BLOCKS OF THE COMMUNITY AWARDS BANQUET ANNOUNCED AT 2007 BANQUET

### GENERAL CONTRACTOR AWARDS

#### CENTRAL AZ:



HUNTER GENERAL  
(GILBERT ROTARY CENTENNIAL OBSERVATORY)  
STEVEN M. PADILLA, CEO  
701 N. COOPER RD.  
GILBERT, ARIZONA 85233  
480.892.0521

#### SOUTHERN AZ:



CHESTNUT CONSTRUCTION CORPORATION  
(ARIZONA BUILDERS' ALLIANCE VOLUNTEER DAY)  
TOM CHESTNUT, OWNER  
2127 E. SPEEDWAY, SUITE 101  
TUCSON, AZ 85719  
520.733.3300

### SUB-CONTRACTOR AWARDS

#### NORTHERN AZ:



STURGEON ELECTRIC CO., INC.  
(BOYS SCOUTS OF AMERICA CAMP RAYMOND)  
LARRY HOWARD, MANAGER  
2317 W. HUNTINGTON DR.  
TEMPE, ARIZONA 85282  
480.894.0221

#### CENTRAL AZ:



ROSENDIN ELECTRIC, INC.  
(BOY'S AND GIRL'S CLUB OF METRO PHOENIX)  
MIKE GREENAWALT, DIVISION MANAGER  
600 W. 24TH ST.  
TEMPE, ARIZONA 85282  
480.921.4022

## SUB-CONTRACTOR AWARDS CONTINUED

SOUTHERN AZ:

SUNDT CONSTRUCTION, INC.  
(PRINCE ELEMENTARY SCHOOL VOLUNTEER PROJECT)  
J. DOUG PRUITT  
1501 W. FOUNTAINHEAD PARKWAY, SUITE 600  
TEMPE, ARIZONA 85285  
480.293.3000

## ASSOCIATION AWARDS

CENTRAL AZ:

NATIONAL ASSOCIATION OF WOMEN IN CONSTRUCTION  
(ARIZONA CONSTRUCTION CAREER DAYS)  
CHAEMAINE FLINT  
5060 N. 19TH AVE  
PHOENIX, ARIZONA 85015-3201  
480.279.8903

SOUTHERN AZ:



SOUTHERN ARIZONA HOME BUILDERS ASSOCIATION  
(THE EDUCATION BUILDER)  
ED TACZANOWSKY  
2840 N. COUNTRY CLUB  
TUCSON, ARIZONA 85716  
520.795.5114

## ASSOCIATE AWARDS



NAUGHTON'S PLUMBING SALES CO.  
(SUNNYSIDE SCHOOL SUPPLY DRIVE)  
FRANK NAUGHTON  
1140 W. PIMA  
TUCSON, ARIZONA 85705  
520.293.2220

## FINALISTS:

### GENERAL CONTRACTORS:

TRI-LITE BUILDERS INC.  
PALOIAN BATHROOM REMODEL  
WAYNE & LINDA MINDE  
1650 E. TWIN ACRES DR.

D.R. HORTON HOMES  
"COVERING OUR BUTTS" DIAPER DRIVE  
DAVID GREENBERG  
5255 E. WILLIAMS BLVD. #1030  
TUCSON, ARIZONA 85711

ELLIOTT HOMES  
GREATER PHOENIX YOUTH AT RISK RENOVATION  
HARRY ELLIOTT  
1400 E. SOUTHERN, #720  
TEMPE, ARIZONA 85282  
480.831.2000

CHESTNUT CONSTRUCTION COMPANY  
CARONDELET FOUNDATION FUNDRAISING CAMPAIGN  
TOM CHESTNUT  
2127 E. SPEEDWAY, SUITE 101  
TUCSON, ARIZONA 85719  
520.733.3300

### SUB-CONTRACTOR:

CREATIVE TOUCH INTERIORS  
GREATER PHOENIX YOUTH AT RISK  
WENDELL COOK  
1720 E. GRANT STREET  
PHOENIX, ARIZONA 85034  
602.749.7263

### ASSOCIATIONS:

ARIZONA ROOFING CONTRACTORS ASSOCIATION  
DAN COHEN  
ARCA 8TH ANNUAL RAISING THE ROOF FOR OUR  
YOUTH CHARITY BOWLING TOURNAMENT  
2117 W. CAMELBACK  
PHOENIX, ARIZONA 85015  
602.335.0133

SOUTHWEST GAS CORPORATION  
MULTIPLE SITES PROJECT  
GEROLD CLARK  
P.O. Box 26500  
TUCSON, ARIZONA 85726  
520.794.6575

ARIZONA BUILDERS' ALLIANCE  
DAVE PITTMAN  
LAS FAMILIAS  
1661 N. SWAN RD., SUITE 144  
TUCSON, ARIZONA 85712  
520.881.7930



Save time and money today  
by renewing your Arizona  
Contractors License online with  
our EZ Renew "Click, File, Build"  
program at:

[www.azroc.gov](http://www.azroc.gov)

Our web site allows you to check on licensed Contractors providing names, license numbers, complaint history, bonding information, etc. Our toll-free telephone number is 1-888-271-9286.

To view our website go to:  
[www.azroc.gov](http://www.azroc.gov)